Sectt. H-27—104,006—4-11-49.

Health (195) Department.

MS SERIES.

G.O. NO. 2226 Health

Dated 21-6-1951

[Despatch Abstract.]

L.A.A. — Transfer of D.H.S, South Kanara — Papers — Recorded

LEGISLATURE (ASSEMBLY) SECRETARIAT.

13/2/1951.

STARRED.

JANAB M.S. HUSSAIN, M.L.A.

HEALTH DEPARTMENT.

*(No.1570.

Will the Hon. the Minister for Health be pleased to state:-

(a) whether the Presidents of the District Boards concerned are to be previously consulted in the matter of the transfer of District Health Officers from their districts;

(b) if so, whether the President of the District Board of South Kanara was so consulted in the matter of the recent transfer of the District Health Officer of that district;

(c) if the answer to (b) is in the affirmative, what the opinion of the said District Board President was?

PHK/19-1.

Health (P-1)

The advance copy of the Assembly question above, may be circulated to H.C.M. for information. With reference to a protest already received from the P.D.B. South Kanara, a report has been called for from the D.P.H. A draft answer will be submitted for approval, after the report of the Director is received.

10/2/51

H.C.M

10 FEB 1951

HEALTH DEPARTMENT

Health (R1)

Legislative Assembly Question – Transfer of D.H.O., South Kanara.

Memo: No. 4822 B/51-1 dt 10/2/51

A copy of the Legislative Assembly question No. 1570 on the subject mentioned above, is forwarded to the D.P.H.

The director is requested to refer Govt to the rules if any which provides that P.D.B.s should be consulted before the transfers of D.H.O.s are ordered. He is also requested to state whether he ~~is~~ consults P.D.B.s before submitting to the Govt. proposals for transfer of D.H.O.s.

The Director is also

requested to submit at a very early date his reply to Govt. Endt: No. 46455 P/D-3 dt 9-1-51, together with information necessary to answer possible supplementary questions.

10/1/51

File of 1/II

xpd. with encl. in S.C. S.R. No. D.S.I. dt. 10.2.51 Encl 2 & Spare

to the D.P.H. (with copy of file)

Fair copy to be sign ed by D.S.

HEALTH DEPARTMENT

From
Dr.T.Lakshminarayana,
D.P.H.(Lond),
Director of Public Health,
Madras.

To
The Secretary to Government,
Health Department,
Fort St. George,
Madras.

R.No.78729-16-E1-50 dated 20-2-51

Sir,

Sub:LEGISLATIVE ASSEMBLY QUESTION - Transfer of District Health Officer, South Kanara.

Ref: Government Memo No.4822-P-51-1x Health dated 10-2-51

8293 pp3-4 ante

D/1-2

With reference to the orders contained in para of G.O.No.1569 P.H. dated 18-7-1933, the Chairman of the Municipal council or the President of the District Board will ordinarily have to be consulted before a Health Officer is withdrawn from or posted to a Municipality or District Board.

pp11 of 49 T

pp13-14 of 49 T

2. The reply to Government Endt.No.46455-P-50.2 Health dated 9-1-51 in regard to the recent transfer of the District Health Officer South Kanara has been submitted in my letter R.No.78729-15-E1-50 (confidential) dated 13-2-51. The question raised in the latter part of para 2 of Government Memo cited above as to whether the presidents of District Boards are consulted before submitting to the Government, proposals for transfer of District Health Officers, has been explained in my above letter.

p3 ante

-do-

Yours faithfully,

22/2/51

for Director of Public Health,Madras.

sss/21-2

~~Health (P-1)~~

Health (P-1).

The reply of the D.P.H is the reference proposed to be issued in the I.J. may be awaited. On its receipt both the cases may be dealt with together

2-3-51

Ex

LEGISLATURE (ASSEMBLY) SECRETARIAT.

19/2/1951.

Issue at once

Health (P.)

STARRED.

Answer

JANAB H.S. HUSSAIN, M.L.A.

HEALTH DEPARTMENT.

*1.No.1570.

Will the Hon. the Minister for Health be pleased to state:-

(a) whether the Presidents of the District Boards concerned are to be previously consulted in the matter of the transfer of District Health Officers from their districts;

(b) if so, whether the President of the District Board of South Kanara was so consulted in the matter of the recent transfer of the District Health Officer of that district;

(c) if the answer to (b) is in the affirmative, what the opinion of the said District Board President was?

PRK/19-1.

'A' p4n

(a) Before a D.H.O is transferred, the P.D.B. concerned is ordinarily consulted by the D.P.H But, in certain urgent cases, it may not be possible to obtain the views of the P.D.B's, on proposed transfers

(b) The D P H had addressed the President simultaneously with sending proposals of the transfer, but as the matter was considered urgent, orders had to be issued before the President's reply was received

(c) Does not arise and in any case, it will not be in public interest to disclose the opinion.

PP
30.3.51

29/3/51
CCO
29/3/51

To

The Legislature (Assembly) Secretariat
(5 Copies)

Publ (Elections) ✓

2 p copies

Dpd.
S.P.
30-3-51.

Health W.O.
4822P/51-2
28/3/51

Legislative Assembly Question No.1570 - Starred.

Janab H.S. Hussain, M.L.A.

Will the Hon'ble the Minister for Health be pleased to state:-

(a) whether the Presidents of the District Boards concerned are to be previously consulted in the matter of the transfer of District Health Officers from their districts;

(b) if so, whether the President of the District Board of South Kanara was so consulted in the matter of the recent transfer of the District Health Officer of that district;

(c) if the answer to (b) is in the affirmative, what the opinion of the said District Board President was?

Health Department.

ANSWER.

(a) Before a District Health Officer is transferred, the President District Board concerned, is ordinarily consulted by the Director of Public Health. But, in certain urgent cases, it may not be possible to obtain the views of the President District Boards on proposed transfers.

(b) The Director of Public Health had addressed the President simultaneously with sending proposals of the transfer, but as the matter was considered urgent, orders had to be issued before the President's reply was received.

(c) Does not arise and in any case, it will not be in public interest to disclose the opinion.

for Secretary to Government.

To

The Legislature (Assembly) Secretariat - 5 copies.
Copy to Public (Elections) Department.

The above answer has been approved by the Hon'ble Dr. T.S.S. Rajan, Minister for Health.

Health-U.O.No.4822.P-/51-2.
Dated: 30.3.1951.

S.P./30.3.

Madras Legis. II-3—1,006—16-12-49.

SECRETARIAT OF THE MADRAS LEGISLATURE,

Fort St. George, dated the 31-1- *1957.*

4822

QUESTION No. 1570 for the meeting of the Legislative ~~Council~~ Assembly
Commencing from 5-2-1957
~~to be held on~~ the ~~19~~

Two copies of this question are forwarded to the Health Department.

The question has been admitted.

Ra 31/1/57 KM 31.1.57. 31/1/57.

To

The Health Department

U.O. 695/57-1(4)GL

31.1.57

Health (P-1)

Please see the Legislative Assembly question at p 1 c.f. The question is Starred.

Clause (a) of the question. Under the ~~M~~ P.H Code, the D.P.H. is empowered to withdraw at any time from the service of Bd. Board any Health Officer lent to it either by giving three months' notice or by providing a substitute. No such arrangement is, however, necessary, in cases of emergency.

Rule 11 on p 36 of Book. (not put up)

Again, ~~In~~ the P.H. Code

provides that transfers of M.H.Os. shall be made by the D.P.H, but the chairmen of M.Cs., concerned shall ordinarily be consulted before any such transfers are ordered. Again under Rule 11 of the M.P.H. Service Rules, postings and transfers of H.Os, Class II, from the jurisdiction of one municipal council to that of another, shall be made by the D.P.H, after consulting the executive authorities concerned. No mandatory provision requiring that P.D.Bs. should be consulted before the transfers of D.H.Os., are made, is traceable. The practice appears to be for the D.P.H. to consult the P.D.Bs., before submitting proposals for transfers of D.H.Os. The D.P.H, may perhaps be consulted in the matter.

Rule 11 ~~p42~~ (wrong pagination)

p86 of Book No.113.

4 / 10/4/57

Clauses (b) and (c) of the question.

Recently, Dr. C.S. Ramachandra Pai D.H.O., South Kanara, was transferred as M.H.O., Mangalore and Dr. M.I. Varkki M.H.O., Mangalore, was transferred as D.H.O., South Kanara. The orders of transfer have already been given effect to. The circumstances in which the transfer was ordered, are explained in detail in the notes on pages 1 to 4 of file II. The P.D.B., South Kanara, wrote to the Govt, protesting that he was not consulted by the D.P.H. Submitting proposals to the Govt in the matter of transfer of Health Officers, even before his (the President's) reply to the letter of the D.P.H. in the matter could have reached the Director. The letter of the P.D.B, has been referred

pp15-16 c/f of (C)

Certificates of transfer.

pp3-5 c/f (T)

p11 c/f (T)

is original to the D.P.H., for remarks. The original letter of the P.D.B and the remarks of the D.P.H. thereon seem are required for preparing a draft answer to the question. The Director may be asked to expedite his reply to Govt. memo endt on p11 c.f.g.d.f II. ...

A draft memo to the D.P.H. is submitted for approval.

10/2/51

BOX

Health (P-1) Dept.

pp 3-4 c.f.

(Issued as Memo.No.4822 P/51-1, dated 10-2-'51).

From the D.P.H., R.No.78729-16 E1/50 dated 20-2-'51.

p 5 c.f.

Till recently Dr. M.I. Varkki, M.B.B.S., B.S.Sc., D.G.O., was Municipal Health Officer, Mangalore and Dr. C.S. Ramachandra Pai, L.M.P., L.P.H., was Dt. Health Officer, South Kanara. As the Ml. Cl., Mangalore, was not satisfied with the work of Dr. Varkki and as the Council was keen on a change in the personnel of the H.O., the D.P.H. proposed that Dr. Varkki might be transferred as D.H.O., South Kanara and that Dr. Ramachandra Pai might be transferred as M.H.O., Mangalore. The proposal of the D.P.H. was approved in G.O.(R) No.456, Health, dated 19-12-'50.

p 7 c f g (C)

p 11 c f g (C)

pp 15-16 c f g (C)

2. Under the orders in G.O.No.1569, P.H., dated 18-7-1933 before a Health Officer is withdrawn from or posted to a Municipality or District Board, the Chairman of the Ml. Cl. or the Pt., Dt. Bd. should, ordinarily be consulted. In the present case, the D.P.H. simultaneously with the submission to the Govt. of proposals for the transfer of the two H.Os., informed the P.D.B., South Kanara, of the proposed transfers and expressed the hope that he (the President) would

para 3 on p 1 g (D)

pp 37-38 g (H)

file of Dist Bd Returned

agree to the proposal. Even before the D.P.H. received any reply from the P.D.B., orders were issued by the Govt. approving the proposal of the D.P.H. to transfer the two H.Os. On the day the Director received orders of the Govt. in the matter, he also received a letter from the P.D.B., South Kanara requesting that Dr. C.S. Ramachandra Pai might be retained as D.H.O., South Kanara. Thereupon, the D.P.H. informed the President that Dr. Varkki who ~~was~~ been posted in the place of Dr. Pai would evince the same interest as Dr. Pai in his work.and also that as orders of the Govt. were already issued, it would not be possible to retain Dr. Ramachandra Pai, as D.H.O., South Kanara.

Please see, in this connection, the notes on pps 7-9 in (T)

With reference to clause (a) of the Assembly question, the following draft answer is suggested.

"Before a D.H.O. is transferred, the P.D.B. concerned ~~will~~ is ordinarily ~~be~~ consulted by the D.P.H. But, in certain urgent cases, it may not be possible to obtain the ~~prior concurrence of~~ views of the P.D.Bs. ~~to the~~ on proposed transfer ~~of D.H.Os.~~"

As regards clauses (b) and (c) of the question, there is no statutory provision requiring that P.D.Bs. should be consulted in the matter. For the sake of administrative convenience, it may sometimes be necessary to take action without consulting P.D.Bs. For orders whether the answers to clauses (b) ~~and (c) may be~~ may be 'yes' and the answer to clause (c) that it is not in public interest to ~~answer the question~~ State the opinion of the P.D.B. in the matter.'

For orders as to circulation.

22.3.51

S.

22/3/51

CEO

22/3/51

The answer to Cl(a) may be as at 'A' above.

2. As regards (b) ~~and (c)~~ the answer may be "The D.P.H. had addressed the President ~~to~~ simultaneously with sending proposals of the transfer, but as the matter was considered urgent, but orders had to be issued before the President's reply was received.

pp 15-16 of (C)

pp 43 and 49 of (H) file of office of D.P.H. Returned to their

p 51 of (H) file of office of D.P.H. Returned to their

p 1 c of

A

A8(H)
S
Hm (H)
Hm 14-3

P-1
4822

The answer to clause (c) may be

" does not arise and in any case ~~it is opposed~~ it will not be in public interest to disclose the opinion.

22/3/51

Hon. (H) answers approved
H.C.M. 23/3
Hon. (Rev.) M.J.A
23.3

The draft reply may be approved.

30.3.51

Answered by H.M.(H.) in Assembly on 5.4.51
5.4.51
PC to H.M.(H.)

23/3/51
CC
23.3.51

Transfer of District Health Officers.

* 1077 *Q.*—MR. SPEAKER :—" As the hon. Member Janab H. S. Hussain is not in his place, the answer will be printed in the proceedings." 11-15 a.m.

JANAB H. S. HUSSAIN : Will the Hon. the Minister for Health be pleased to state—

(*a*) whether the Presidents of the District Boards concerned are to be previously consulted in the matter of the transfer of District Health Officers from their districts;

(*b*) if so, whether the President of the District Board of South Kanara was so consulted in the matter of the recent transfer of the District Health Officer of that district; and

(*c*) if the answer to (*b*) is in the affirmative, what the opinion of the said District Board President was?

THE HON. DR. T. S. S. RAJAN :—" (*a*) Before a District Health Officer is transferred, the President, District Board

concerned, is ordinarily consulted by the Director of Public Health. But, in certain urgent cases, it may not be possible to obtain the views of the Presidents of District Boards on proposed transfers.

" (*b*) The Director of Public Health had addressed the President simultaneously with sending proposals of the transfer, but as the mater wast considered urgent, orders had to be issued before the President's reply was received.

" (*c*) Does not arise and, in any case, it will not be in public interest to disclose the opinion."

The Legislative Assembly Question at p. 1c/, was answered at the Session of the Assembly held on 5-4-51 — vide extract from the proceedings of the Assembly on p. 5 ante. No; further action is called for in this file.

The papers may be recorded

20/6/51
w.t.51.

4/6
21/6/51

Gpo(M) 2226 H.P.
21-6-51